

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENTS ON BEHALF OF STUDENT,

v.

SHORELINE UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2010081038

ORDER DENYING REQUEST FOR
RECONSIDERATION

On September 7, 2010, the undersigned administrative law judge issued an order that denied Student's motion for stay put. On September 9, 2010, Student filed a motion for reconsideration. The Shoreline Unified School District (District) did not file a response.

APPLICABLE LAW

The Office of Administrative Hearings will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION AND ORDER

Student alleges no new facts, circumstances, or law in support in the request for reconsideration that because Marin Waldorf School, a nonpublic school, is no longer available for Student that his stay put placement during the pendency of this action is at Star Academy, a nonpublic school. Student's motion for reconsideration raises the same factual and legal arguments that were previously rejected in the September 7, 2009 Order. Accordingly, Student's request for reconsideration is denied.

IT IS SO ORDERED.

Dated: September 29, 2010

/s/

PETER PAUL CASTILLO
Administrative Law Judge
Office of Administrative Hearings